

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

BRENDA KAYE DAVIS,

Plaintiff,

:

Case No. 3:07-cv-273

-vs-

District Judge Thomas M. Rose

Chief Magistrate Judge Michael R. Merz

:

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. No. 7), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired on January 17, 2008, hereby ADOPTS said Report and Recommendations.

It is therefore ORDERED that the above-captioned action be dismissed without prejudice for lack of prosecution.

January 18, 2008.

s/THOMAS M. ROSE

Thomas M. Rose
United States District Judge